

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)
ex rel. Maros KMEC,)
)
Plaintiff/Relator,)
)
)
)
v.)
)
AIRBUS DEFENSE AND SPACE, INC.,)
AIRBUS GROUP INC.,)
AIRBUS DEFENCE AND SPACE, SA,)
AIRBUS DEFENCE AND SPACE)
MILITARY AIRCRAFT, SA,)
AIRBUS HELICOPTERS, INC.,)
AIRBUS DEFENSE AND SPACE)
MILITARY AIRCRAFT, INC.,)
AIRBUS SECURE LAND)
COMMUNICATIONS, and)
AIRBUS DEFENCE AND SPACE GMBH,)
)
Defendants.)

CASE NO.: 1:19-cv-660 (CMH/IDD)

FILED *EX PARTE* AND UNDER SEAL
PURSUANT TO 31 U.S.C. § 3730(B)

JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a), the United States, having filed a Notice of Election to Intervene in Part for Purposes of Settlement and to Decline to Intervene in Part (“Election Notice”) in this *qui tam* brought pursuant to the False Claims Act (“FCA”), 31 U.S.C. §§ 3729-3733, and Relator Maros Kmec (“Relator”), hereby notify the Court of the voluntary dismissal of this action in accordance with the terms set forth below:

1. Relator dismisses with prejudice all claims alleged in his Complaint as to himself and against all Defendants named in the Complaint.
2. The United States dismisses with prejudice all claims against Airbus Defense and Space, Inc. (“ADSI”) for the “Covered Conduct,” as that term is defined in the Election Notice.

The United States consents to dismissal by Relator of all other claims against ADSI alleged in the complaint without prejudice to the United States, and to dismissal of all other Defendants without prejudice to the United States.

3. Except as provided in the Settlement Agreement, the parties shall bear their respective costs, including any possible attorneys' fees or other expenses of litigation.

4. No Defendants have filed an answer or responsive pleading to the Complaint.

5. Pursuant to the Settlement and *Kokkonen v. Guardian Life Insurance Co. of America*, 511 U.S. 375 (1994), the Court shall retain jurisdiction to enforce the terms of the Settlement Agreement.

Dated: October 1, 2021

By:

BRIAN M. BOYNTON
Acting Assistant Attorney General

RAJ PAREKH
Acting United States Attorney

/s/ _____
KRISTA ANDERSON
Assistant United States Attorney
United States Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: (703) 299-3995
Fax: (703) 299-3983
E-mail: krista.anderson@usdoj.gov

JAMIE ANN YAVELBERG
MICHAL TINGLE
RICHARD HAGNER
Attorneys
United States Department of Justice
Civil Division - Commercial Litigation Branch

175 N. Street, NE
Washington, D.C. 20002
Tel: (202) 532-5625
Email: richard.w.hagner@usdoj.gov

Counsel for the United States



BENJAMIN VERNIA
ANDREW MURRAY
The Vernia Law Firm
1455 Pennsylvania Ave., N.W., Suite 400
Washington, D.C. 20004
Tel: (202) 349-4053
Email: bvernia@vernialaw.com
Email: amurray@vernialaw.com

Counsel for Relator

IT IS HEREBY SO ORDERED this ____ day of _____, 2021.

UNITED STATES DISTRICT JUDGE